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Date: May 25, 2004

By: Luigi J. Mascari
Signature of Person Depositing First Class Mail

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE
-- PATENT APPLICATION --**

Applicant(s):	Clarot et al.	Attorney Docket No.:	33205.1900
Serial No.:	10/664,839	Group Art Unit:	1615
Filed:	September 16, 2003	Examiner:	TBA
TITLE:	SYSTEM FOR DELIVERING A COMPOSITION TO THE NASAL MEMBRANE AND METHOD OF USING SAME		
		Confirmation No.:	4908

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§1.97-1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicants hereby notify the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO/SB/08a. Copies of the non-patent references are submitted herewith, and English abstracts for each document, which is not in English, is provided as a concise explanation of the relevance of the document.

Applicants respectfully submit that all pending claims are patentable over the foregoing references, taken either alone or in combination. The Examiner is requested to initial the enclosed Form PTO/SB/08a and return a copy thereof to the undersigned.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve


the right to dispute any listed documents as prior art during examination. Further, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b) before the mailing of the first Office Action. Therefore no fee under 37 C.F.R. §1.17(p) is required.

If there are any questions concerning this IDS, the Examiner is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the United States Patent and Trademark Office is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 19-2814. **A duplicate copy of this IDS is enclosed for this purpose.**

Respectfully submitted,

Date: 5/25/04

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/664,839</td> </tr> <tr> <td>Filing Date</td> <td>September 16, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Tim Clarot</td> </tr> <tr> <td>Art Unit</td> <td>1615</td> </tr> <tr> <td>Examiner Name</td> <td>To Be Assigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>33205.1900</td> </tr> </table>		Application Number	10/664,839	Filing Date	September 16, 2003	First Named Inventor	Tim Clarot	Art Unit	1615	Examiner Name	To Be Assigned	Attorney Docket Number	33205.1900
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Art Unit	1615															
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Attorney Docket Number	33205.1900															
Sheet	1	of	3													

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		US-	4,568,326	02-04-1986	Rangaswamy	
		US-	4,718,889	01-12-1988	Blasius, Jr. et al.	
		US-	4,826,683	05-02-1989	Bates	
		US-	4,950,280	08-21-1990	Brennan	
		US-	4,956,385	09-11-1990	Eby, III	
		US-	5,248,501	09-28-1993	Parnell	
		US-	5,288,498	02-22-1994	Stanley et al.	
		US-	5,578,310	11-26-1996	M'Timkulu et al.	
		US-	5,622,724	04-22-1997	Bryce-Smith	
		US-	5,676,643	10-14-1997	Cann et al.	
		US-	5,708,023	01-13-1998	Modak et al.	
		US-	5,738,643	04-14-1998	Stredic, III	
		US-	5,747,058	05-05-1998	Tipton et al.	
		US-	5,895,408	04-20-1999	Pagan	
		US-	5,908,619	06-01-1999	Scholz	
		US-	5,954,682	09-21-1999	Petrus	
		US-	6,139,864	10-31-2000	Durr et al.	
		US-	6,235,312	05-22-2001	Hobbs et al.	
		US-	6,344,210	02-05-2002	Fust	
		US-	6,350,465	02-26-2002	Jonnalagadda et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		EP	0 357 261	A	03-07-1990	Gam-Med Packaging Corp.		
		DE	33 24 635	A1	01-24-1985	Buchmann		
		JP	61068413 (Abstract)	A2	04-08-1986	Lion Corp.		
		JP	05124955 (Abstract)	A2	05-21-1993	Shiseido Co., Ltd.		
		EP	147476 (Abstract)	A1	07-10-1985	Toko Yakuhin Kogyo K.K.		
		DE	2839793 (Abstract)	A1	05-10-1979	Toko Yakuhin Kogyo K.K.		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/664,839	
			Filing Date	September 16, 2003	
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			Art Unit	1615	
			Examiner Name	To Be Assigned	
Sheet	3	of	3	Attorney Docket Number	33205.1900

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials ²	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ABSTRACT: ABD EL-BARY, A. et al.; "Bioavailability of Glibenclamide From Nasal Delivery Systems"; Journal; 1991; Pharmazeutische Industrie; 53(12); pgs. 1151-1155	
		ABSTRACT: WASICKO M.J. et al.; "The Role of Vascular Tone in the control of Upper Airway Collapsibility"; Journal; American Review of Respiratory Disease; June 1990; 141(6) pgs. 1569-77.	
		ABSTRACT: KUMAR V. et al.; "Aqueous vs Viscous Phenylephrine. I. Systemic Absorption and Cardiovascular Effects"; Journal; Archives of Ophthalmology; August 1986; 104(8); pgs. 1189-91.	

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.
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